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**Mayer & Williams PC**  
 Intellectual Property Law

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# Fax – Special Processing Submission

<b>To:</b> Office of Petitions	<b>From:</b> Marjorie Scariati
<b>Fax:</b> 571-273-8300	<b>Pages:</b> 6
<b>Phone:</b>	<b>Date:</b> 9/1/06
<b>Re:</b> 09/892,212	<b>CC:</b>

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*If you received this communication in error, please immediately notify us by a collect telephone call to the writer and return the original message and documents to us at the above address via the United States postal service.*

Please see the attached re-submitted Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action, which was originally submitted on May 23, 2005 but has not yet received a decision.

The attached is being resubmitted today in order to indicate it is a "SPECIAL PROCESSING SUBMISSION", and the re-submission includes a copy of the PTO's fax confirmation of receipt of the original submission on May 23, 2005.

Serial No.: 09/892,212

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tony S. Kaushal

Serial No.: 09/892,212

Filed: 06/25/2001

Title: EROSION-RESISTANT COMPONENTS FOR PLASMA PROCESS CHAMBERS

Art Unit: 1775

Examiner: Jennifer C. McNeil

Confirm. No.: 1445

Docket No.: 005231 ALRT/ETCH/DRIE

Via Facsimile: 703-308-6916 872-9306

Attn: Office of Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON**  
**FAILURE TO RECEIVE OFFICE ACTION UNDER 37 CFR 1.181(a) AND**  
**STATEMENT ACCOMPANYING PETITION**

Sir:

This Petition to Withdraw Holding Of Abandonment Based On Failure To Receive Office Action is filed in response to the Notice of Abandonment mailed February 23, 2005.

As per the Notice of Abandonment, the applicant failed to file a response to the Office Action mailed July 28, 2004. This failure to file a response was unintentional as the Office Action was never received by the applicant, Applied Materials, Inc.

Enclosed please find a statement signed by a representative of the Assignee, Applied Materials, Inc., in which the representative states that the Office Action was not received, and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is enclosed as well.

Serial No.: 09/892,212

In view of the above circumstances, Applicant hereby petitions the Commissioner to grant this Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action. It is respectfully requested that the Notice of Abandonment be withdrawn, and that the Office Action be remailed to the Assignee, Applied Materials, Inc., with a new period for response set to expire 3 months from the mailing date of the remailed Action.

While it is not believed that any fees are due as a result of this Petition to Withdraw Holding of Abandonment, the Commissioner is hereby authorized to charge any fees that may be due to the undersigned attorney's PTO Deposit Account #50-1047.

Respectfully submitted,



David B. Bonham Reg. No. 34,297

**Attorney for Applicant**  
Mayer Fortkort & Williams, PC  
251 North Avenue West, 2<sup>nd</sup> Floor  
Westfield, NJ 07090

Tel.: 703-433-0510  
Fax: 703-433-2362

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document, and any document referenced herein, has been transmitted via facsimile to the US Patent and Trademark Office, Office of Petitions at (703) 308-6916 on 5/23/05.

*Mariorie Scariati*  
Mariorie Scariati

(Printed Name of Person Faxing Correspondence)

**PLEASE CONTINUE TO SEND ALL CORRESPONDENCE TO:**

**Applied Materials, Inc.**  
**2881 Scott Blvd, M/S 2061**  
**Santa Clara, CA 95050**

To The Office of Petitions:

The undersigned states that the Office Action mailed to Applied Materials, Inc. on July 28, 2004 in patent application 09/892,212 was never received at the office of Applied Materials, Inc. A search of the file jacket and docket records confirms that the Office Action mailed July 28, 2004 was never received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached hereto.

Signed:



Printed name and title:

Sheri Griffin  
Patent Administrator

0002

05/23/05 14:01 FAX 408 563 6492

APPLIED MATERIALS

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05/23/2005

## Patent Information Print

Docket No 005231  
 Country United States  
 Case Type REGULAR CASE TYPE  
 Relation Type ORIGINAL OR PATENT CASE  
 Filing Type NATIONAL CASE  
 Filing No  
 Attorney Loretta A PETERS  
 Law Firm Mayer Fortkort and Williams  
 Client/Division Applied Global Services  
 Current Owner Applied Materials, Inc.  
 Prev Own  
 AMW#  
 Status APPLICATION IS FILED  
 First Filing Dt 06/25/2001  
 Sub Stat  
 Sub Stat Dt  
 Parent Country United States  
 Parent Filing Dt 06/25/2001  
 Parent No 09/892,212  
 Parent Grant Dt  
 Total Claims 29  
 Ind. Claims 2  
 Application # 09/892,212  
 Application Dt 06/25/2001  
 Patent No  
 Grant Dt  
 Publication # 2004-0033385  
 Publication Dt 02/19/2004  
 Assigned ASSIGNMENT RECORDED  
 Expiration Dt  
 Conv Type  
 Tax Base Dt  
 Govt Cont

Next Tax Dt  
 Associate  
 PBG  
 Patent Admin  
 Orig Office  
 Add'l Atty  
 OPP PTY  
 Add'l Billing Agt  
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 Reel/Frame  
 Assgn Dt  
 Reel/Frame #2  
 2nd Assign Date  
 Archive Loc  
 Archive Dt  
 AGNT.REF NO #2  
 Cust No  
 Cnfrm No  
 Govt Cont No  
 Grp Art Unit  
 Verified  
 Customer  
 Create Dt  
 Update Dt  
 Update Tr  
 Update User  
 Update Type

Mayer Fortkort and Williams  
 IBSS  
 Sheri GRIFFIN

Robert W Mulcahy  
 6000/04

11956/0087  
 06/25/2001

1445

1733  
 N  
 AZPP  
 06/26/2001  
 03/22/2003  
 0937  
 SRG

## \*\*Actions\*\*

Action  
 Act Due Date  
 Taken Dt  
 DeadLn Dt

INVENTOR FILING AWARD DUE  
 07/18/2001

Comp Dt  
 Resp Pty #1  
 Resp Pty #2

08/01/2001

Action  
 Act Due Date  
 Taken Dt  
 DeadLn Dt

Notice of Missing Parts  
 10/15/2001

Comp Dt  
 Resp Pty #1  
 Resp Pty #2

09/27/2001

Act Notes  
 REQUEST WITHDRAWAL OF NMP./DB  
 MFW to take care of this. NOMP was sent in error. SIGS was  
 e filed on time/sa

Action  
 Act Due Date  
 Taken Dt  
 DeadLn Dt

PCT Search Rpt Publishe-IDS?  
 01/15/2003  
 11/09/2002

Comp Dt  
 Resp Pty #1  
 Resp Pty #2

10/06/2003

Act Notes  
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Action  
 Act Due Date  
 Taken Dt  
 DeadLn Dt

Revised Publication Date  
 02/19/2004

Comp Dt  
 Resp Pty #1  
 Resp Pty #2

02/19/2004

Action  
 Act Due Date  
 Taken Dt  
 DeadLn Dt

Official Action Due Date  
 04/30/2004  
 07/30/2004

Comp Dt  
 Resp Pty #1  
 Resp Pty #2

04/30/2004

Action  
 Act Due Date  
 Taken Dt  
 DeadLn Dt

RESPONSE TO ABANDONMENT  
 03/23/2005  
 03/22/2005

Comp Dt  
 Resp Pty #1  
 Resp Pty #2

Act Notes  
 Copy to Marj @ MFW/SAC

Action  
 Act Due Date  
 Taken Dt

Supplemental IDS filed

Comp Dt  
 Resp Pty #1  
 Resp Pty #2

12/02/2002

P.05

Sep 1 2006 14:56

Fax:908-518-7795

MAYER &amp; WILLIAMS PC

05/23/05 14:01 FAX 408 563 6492

## APPLIED MATERIALS

0003

## DeadLn Dt

Action  
Act Due Date  
Taken Dt  
DeadLn Dt

## Foreign Filing Recommended

Comp Dt  
Resp Pty #1  
Resp Pty #2

05/15/2002  
Mark O'BOYLE

Action  
Act Due Date  
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DeadLn Dt

## Certified Copies ordered fro

06/17/2002

Comp Dt  
Resp Pty #1  
Resp Pty #2

07/24/2002

Action  
Act Due Date  
Taken Dt  
DeadLn Dt

## Information Disclosure State

Comp Dt  
Resp Pty #1  
Resp Pty #2

06/25/2001

Action  
Act Due Date  
Taken Dt  
DeadLn Dt

## Foreign to be Completed by:

06/05/2002  
06/25/2002

Comp Dt  
Resp Pty #1  
Resp Pty #2

06/25/2002  
Mark O'BOYLE

## Act Notes

6/25/2002-FILED TW./DB  
6/24/2002-FILED PCT./DB  
6/6/2002-BSTZ CONFIRMS REC'T OF INSTR TO FILE PCT./DB  
PER MOB, CPS will support, transfer to CPS, file PCT E, J, S  
, Malaysia, CHINA, EPC -GERM, FR, UK and  
direct in TW, insts to Blakley and TSAI/ea  
5/7/2002-SHAN WILL NOT PAY FOR FOREIGN FILING, MADE REQUEST  
TO CPS TO ADOPT./DB

Action  
Act Due Date

## Filing Receipt Received

Comp Dt  
Resp Pty #1

11/21/2003